

EXHIBIT R



Superior Court of California

County of San Francisco

May 18, 2010

JOHN E. MUNTER
JUDGE

Re: Avenius vs. Banc of America Securities
San Francisco Superior Court Case No. CGC-06-453422

To Counsel of Record in the Above-Referenced Case

Dear Counsel:

Yesterday the Court received what is apparently an *ex parte* letter from Mr. Michael F. Mather, a plaintiff in the case. A copy of his letter is enclosed. It is obviously inappropriate for anyone to send an *ex parte* letter to the Court, and the Court asks that counsel for Mr. Mather so advise him.

The Court is causing a copy of Mr. Mather's letter and this letter to be placed in the files of this case.

A handwritten signature in black ink that reads "John E. Munter". The signature is written in a cursive, flowing style.

JOHN E. MUNTER
Judge of the Superior Court

CGC-06-453422

AVENIUS vs. BANC OF AMERICA SECURITIES, et al.,

I, the undersigned, certify that I am an employee of the Superior Court of California, County Of San Francisco and not a party to the above-entitled cause and that on May 18, 2010 I served the foregoing LETTER TO ALL COUNSEL OF RECORD on each counsel of record or party appearing in propria persona by causing a copy thereof to be enclosed in a postage paid sealed envelope and deposited in the United States Postal Service mail box located at 400 McAllister Street, San Francisco CA 94102-4514 pursuant to standard court practice.

Date: May 18, 2010

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**Civil Division (Filing Office)
Attention : Judge Munter
400 Mcallister Street, Room 103
San Francisco, CA 94103**

Re : Joseph Avenius vs Bank of America

May 13, 2010

Dear Judge Munter,

As a significantly harmed plaintiff in this action, I write to implore you to not only reject the a) Withdrawal motion and b) Motion to delay trial date, submitted by the firm representing me, John O'Quinn, but to sanction it for unreasonable, unprofessional & unfair conduct.

Our plaintiff pool will soon be formally filing our objections, several of us also plan to attend the June 11 hearing and, I anticipate, many will write to you personally, describing individual harm and appealing for your assistance. Me? I will write on both a micro level as well as macro.

Firstly, not long ago I was a moderately wealthy, self made private investor. With \$7m invested assets, \$4.2m net worth and \$390,000 annual dividend income, all as at March 31, 2004, I felt secure with my decision to early retire at that time. I never suspected that certain bad actors from Wall St would / could conspire to transfer my wealth to their coffers. In that event however, I was confident that our US regulatory / oversight / enforcement bodies would help undo the wrong that had been perpetrated. I was wrong on both counts.

Today I am surviving as a near destitute, crushed man, barely evading home foreclosure only because of the charity of family & friends. In 3 years I haven't found a job or been able to sell my home. I cannot keep my head above water much longer. 40 other plaintiffs are not much different than me, some worse.

On a societal level, this case is a snapshot of what went so wrong with our general economy, eventually negatively impacting the entire global economy. Wall St greed, smarter than the regulators, powerful enough to influence elected oversight officials, conjuring illegal, not all that sophisticated, methods to violate securities laws (and their own compliance manuals) with impunity. Our primary attorney, Wes Christian, has described to us on several occasions, how compelling our discovery is in demonstrating clear foul play using the defendants' own tapes of trading transactions! Simple, understandable, irrefutable and black & white.

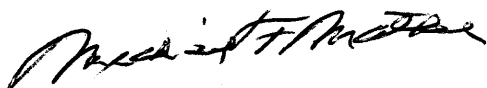
Sir, as you know, this case was filed long ago (6/06) and this after a lengthy, confidence building process. Lots of motions have been filed and years of 'lawyering' (and Court time) finally lead you to establish an imminent trial date (1/11) and impose an aggressive schedule of activities, ensuring the lawyers would not drag this matter out any further. And suddenly my lawyer evaluates the case differently and wishes to withdraw? What could be more bizarre?

And now, it all comes down to your decision next month. And that is, to position our judiciary process to protect citizens' interests where all else has failed them.

Judge Munter, please order the John O'Quinn law firm to complete its obligation to us plaintiffs, just as it promised to do when we were recruited and placed our trust in them. Facts exist to support an argument to 12 reasonable jurists that Wall St bad guys deeply harmed 41 little people. Justice might only be 6 months away. We 41 need it. The Country needs it. Wall St needs it.

I thank you for your consideration.

Sincerely (and most desperately),

A handwritten signature in black ink, appearing to read "Michael F. Munter". The signature is fluid and cursive, with the first name "Michael" and last name "Munter" being the most legible parts.